

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
<b>Philip James IONS</b>	)	Group Art Unit: <b>Not Yet Assigned</b>
	)	
Application No.: <b>Not Yet Assigned</b>	)	Examiner: <b>Not Yet Assigned</b>
	)	
Filed: <b>September 15, 2006</b>	)	
	)	
National Stage of International Application No.	)	
<b>PCT/AU2005/000389</b> under 35 U.S.C. 371, for	)	
<b>METHOD OF BUILDING A DIRECT</b>	)	
<b>SMELTING PLANT</b>	)	

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicant brings to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. With exception of the U.S. patent, copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form. This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. Japanese Patent Publication No. 2001-042076 - An English language abstract of this document is enclosed.
2. Soviet Union Publication No. 1305281

In lieu of a statement of relevance or the translation of the non-English documents above, enclosed is an English-language international search report from the

Australian Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing these documents and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 15, 2006

By: 

Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/sci

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b> <b>10/593062</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	Not Yet Assigned
				Filing Date	September 15, 2006
				First Named Inventor	Philip James IONS
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	02372.0098

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-4,394,911	07-26-1983	WHITMAN et al.	
		US-			
		US-			

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		SU 1305281 A1	04-23-1987	LENGRADSKII PROMSTR		NO
		EP 0 411 126 A1	02-06-1991	BULGAKOV et al.		
		JP 2001-042076	02-16-2001	SATO et al.		ABSTRACT
		CA 2 467 310 A1	11-15-2003	MACAULEY		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.